

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AMY KOCHER,
Plaintiff,
vs.
STARPLEX, dba CROWD
MANAGEMENT SERVICES, and LIVE
NATION WORLDWIDE, INC.
Defendants.

This Protective Order (hereinafter "Order") is entered pursuant to Federal Rule of Civil Procedure 26(c). The parties have stipulated and agreed, and the Court recognizes, that the parties and non-party witnesses to this action may possess private medical information which is confidential and may be subject to discovery in this action, but which should not be made available to the public generally.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. The parties may designate materials produced during discovery as "Confidential" pursuant to this Protective Order. All "Confidential" designations

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2 must be based on the good faith belief that the information constitutes sensitive
3 personal or medical information.

4 2. Materials which are designated as "Confidential" will not be made
5 available, delivered, exhibited or disclosed to any person other than the Court,
6 court staff, the named parties, their counsel, counsel's staff and designated experts
7 and witnesses. Designated experts and witnesses will read and agree to be bound
8 by this Order by endorsing the following certification on a copy of this Order,
9 which will be forwarded to opposing counsel before the material is disclosed:

10 I certify that I have received and read a copy of the Protective Order
11 in the matter of *Amy Kocher v. Starplex, dba Crowd Management*
12 *Services, and Live Nationwide Worldwide, Inc., Case No.*
13 *CV-11-3021-WFN, in the United States District Court, Eastern*
14 *District of Washington.* I agree to be bound by it and I understand that
15 I may be subject to contempt proceedings in United States District
16 Court, Eastern District of Washington, if I violate it. I further
17 understand that information designated as "Confidential" in this case,
18 and any notes, memoranda or other form of information derived from
19 it, may not be used, copied or disclosed by me to anyone else except
20 in strict accordance with the Protective Order and then only for the
21 prosecution and defense of this litigation. The information I obtain by
22 my involvement in this litigation shall be used for purposes of this
litigation only and shall not be used for business, competitive or other
purposes. I understand that such use may subject me to a civil action
for injunctive relief and/or damages.

Signed this _____ day of _____, at _____.

Print Name: _____

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2 3. Nothing contained in this Order shall prevent the use of materials
3 designated as "Confidential" at trial, in motions or depositions, with the following
4 safeguards. If such confidential information is used in depositions, the parties shall
5 make arrangements with the court reporter to ensure that all portions of the
6 transcripts of such depositions and exhibits thereto which refer or relate to such
7 confidential information shall be bound separately and labeled as "Confidential
8 Information." In addition, the deponent will be advised that, pursuant to this
9 Order, he/she may not divulge any such confidential information except to the
10 persons entitled to it under paragraph 2, above.

11 4. At the conclusion of this action, including any appeals, and after the
12 termination of litigation has become final, either party may request the return of all
13 documents labeled as "Confidential Information" that have been produced in this
14 litigation, except those filed with the Court. If such a request is made in writing,
15 the recipient of such request shall return the documents within sixty (60) days
16 from the date of the request.

17 DATED this 5th day of May, 2011.

18
19 s/ Wm. Fremming Nielsen
United States District Judge

20 05-05